

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

vs

1:04-CR-313

DANIEL WILLIAMS,

Defendant.

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APPEARANCES:

OF COUNSEL:

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Attorneys for Government  
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DAVID N. HURD  
United States District Judge

**ORDER**

On May 8, 2009, petitioner filed a habeas corpus motion pursuant to 28 U.S.C. § 2255 to vacate, set aside, or correct his sentence. (Docket No. 501). The Government opposes (Docket No. 507).

On January 7, 2008, petitioner entered into a Plea Agreement with the Government. (Docket No. 332). He waived his right to appeal or collaterally attack his conviction and any sentence of imprisonment of 292 months or less. On May 5, 2008, petitioner was sentenced to 240 months imprisonment. (Docket No. 422).

Absent any circumstances not presented in this motion, the petitioner's voluntary waiver of his rights procedurally bars him from this collateral attack on his conviction and sentence.

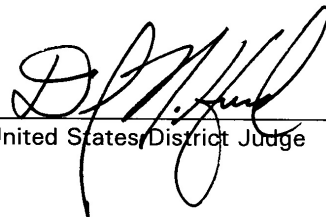
Further, even reviewing the motion with a view most favorable to petitioner, it still fails to set forth any possible substantive basis for habeas corpus relief.

Therefore, it is

ORDERED that the motion pursuant to 28 U.S.C. § 2255 is DENIED.

IT IS SO ORDERED.

Dated: July 16, 2009  
Utica, New York.



United States District Judge